UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

Reply to
Attn. of: ECO-088

September 26, 2001

Lou Driessen, Project Manager
Bonneville Power Administration - KC-7
P.O. Box 12999
Portland, OR 97212

Dear Mr. Driessen:

The Environmental Protection Agency (EPA) has reviewed the draft Environmental Impact Statement (EIS) for the proposed **Kangley-Echo Lake Transmission Line.** We are submitting comments according to our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act (CAA). Section 309 of the Clean Air Act directs the EPA to review and comment in writing on the environmental impacts of any major federal agency action.

BPA's preferred alternative proposes building a $11.5 million, 500-kilovolt (KV), nine-mile transmission line near the community of Kangley in Central King County, parallel to an existing transmission line, then connecting with the existing Echo Lake substation. The Echo Lake sub station would be expanded by three acres to accommodate the new line at a cost of $6.5 million. A total of 1.5 miles of new access roads would be built. One hundred fifty-two acres, including 84 acres of mostly Douglas fir, would be impacted by the project, which includes a 150-foot cleared right-of-way. The new line will improve system reliability in King County and enhance the delivery of power to Canada, required under the Columbia River Treaty of 1961.

BPA has said that under normal growth in demand, system instability could develop as early as the winter of 2002-2003. An outage on the existing line between Raver and Echo Lake substations could overload transformers in the Covington area during heavy use. According to the EIS, the amount of energy saved through conservation programs is not enough to defer the need for a new transmission line.

Four other alternatives (2, 3, 4A and 4B) are located east of the existing transmission line, requiring new rights-of-way and access roads. Alternative three requires the most new access roads, 6.4 miles, because the route is not next to an existing transmission line or right-of-way. All five options cross the Cedar River and the Cedar River Watershed.

Based on our review, we have rated this draft (EO-2) Environmental Objections - Insufficient Information. This rating and a summary of our comments will be published in the *Federal Register.*

Major Concerns

The EPA has serious concerns about the DEIS's adequacy. The draft provides no information about the transmission line's impacts to the Cedar River Watershed, the region's major drinking water supply and a source of water to 1.3 million people. The project does not appear to comply with the city of Seattle's Habitat Conservation Plan (HCP), which allows no logging within the watershed. The HCP also addresses Endangered Species (ESA) and natural resource issues. The city of Seattle has stated in a letter to BPA that "Seattle Public Utilities (SPU) will not accept any need to modify the HCP as a consequence of BPA's activities."

The language in the draft is confusing and contradictory. As an example, (summary, page 11) "Each of the alternatives would cross some fish-bearing streams. The fish resources in the study area include resident and anadromous species." However, another statement on the same page says, "Both chinook salmon and bull trout are potentially, though not likely, present in the streams crossed by each of the action alternatives." BPA should know this information and state it in the DEIS.

Purpose and Need and Range of Alternatives

We recommend that the purpose and need statement be presented briefly, specifying the need for the project (40 CFR 1502.13*)*. Describe the need in one or two sentences. Then, if needed, to establish a contextual setting for the project, follow the need statement with a separate, in-depth background discussion. Avoid putting a laundry list of objectives in the purpose and need statement itself. Instead, discuss these other objectives later in the purpose and need section as additional benefits to be derived from the project.

The DEIS says that BPA will use four purposes to choose among the alternatives, including maintaining environmental quality, and minimizing impacts to the human environment through site selection and transmission line design. Please explain how environmental quality can be maintained when the proposed project, as well as the four other alternatives, go through a watershed.

We are concerned with constraints on alternatives because of the Purpose and Need statement. Chapter 2, pages 17 and 18, briefly discusses alternatives considered but eliminated. One alternative was dropped because the transmission line couldn't be taken out of service long enough to be rebuilt, and two others were dropped because of costs. The range of alternatives should be expanded to include a route around the west side of the Cedar River Watershed through the communities of Hobart and Ravensdale. BPA eliminated this route due to land costs and impacts to residents.

Question 2A in NEPA's Forty Most Asked Questions states that "section 1502.14 requires the EIS to examine all reasonable alternatives to the proposal. In determining the scope

of alternatives to be considered, the emphasis is on what is "reasonable" rather than on whether the proponent or applicant likes or is itself capable of carrying out a particular alternative. Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant."

Environmental Consequences

BPA needs to clarify several statements in the Final EIS (FEIS) in the Environmental Consequences chapter.

- The description of impacts to fisheries (Chapter 4-22) is confusing. According to the EIS, "Impacts would be greater in streams occupied by threatened, endangered, or sensitive species than if the streams were not occupied by such species." The FEIS needs to say whether these streams have these species, and, if so, discuss whether the habitat will be degraded by these impacts. Please identify which streams have salmon species.

- The proposed action would clear vegetation from more than a half mile (2,900 feet) of a potentially fish-bearing stream within the right-of-way (ROW). Please state whether this stream is fish-bearing or not, and clarify the amount of clearing to be done. Page 26 of the appendix says that the amount of clearing can't be confirmed at this time. The draft EIS (Ch. 4-36) says that impacts on stream temperatures are expected to be low because of the small area to be cleared. The EPA recommends that the FEIS include precise information on the extent of clearing necessary and discuss the cumulative impacts on soils and stream temperature (40 CFR 1508.25 (a) and (c)).

- The BPA needs to clearly state which of three standards it intends to follow for protection of riparian and fisheries resources. In a discussion about removal of riparian vegetation, (Ch 4-25), the EIS names three regulatory standards approved by the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service to ensure compliance with the Endangered Species Act (ESA). The standards are the Cedar River Watershed Habitat Conservation Plan (HCP) for the city of Seattle, the Washington Department of Natural Resources HCP and the Washington Forest Practices Rules. Depending on the type of stream, each standard differs on the width of buffers from streams.

Please clarify two statements about future transmission lines in the area. In the DEIS, (Chapter 2-14) says, "The No Action Alternative does not mean there would never be a need for future transmission projects, only that no line would be considered for construction in this general area in the near future." However, in Appendix D, the Final Wetlands Technical Report, Page 22 under Cumulative Impacts says, "In the future, the transmission line ROW would be a logical choice for construction of other linear projects, including additional transmission lines, fiber optic cables, or pipelines. The decision to create a new corridor in this area could increase the likelihood of such proposals."

Additionally, Ch.2-21 says that under the no action alternative there would be a high impact due to potential for transmission system collapse, brownouts and blackouts affecting a widespread Northwest population. It further states that a delay of the system expansion could mean higher future costs. The EPA recommends that these costs be explored and stated in the FEIS.

Protection of Listed Species and Their Habitats

Several special status species, including the threatened chinook salmon and bull trout, under the Endangered Species Act (ESA) are "potentially" present in the streams crossed by each of the action alternatives. Three other species potentially in the streams include the Pacific lamprey and the river lamprey, (USFWS species of concern), and Coho salmon, a candidate for listing. In a separate ruling, the National Marine Fisheries Service (NMFS) also designated critical habitat for the chinook salmon, including all surface water accessible to the chinook, and riparian habitats necessary to support those surface waters.

Other listed species known to occur within the project area are the northern spotted owl, northern goshawk, black swift, merlin, olive-sided flycatcher, and pileated woodpecker. Five species of bats potentially occur in the area.

Please disclose the results of biological assessments and opinions (40 CFR 1502.25 (a)) in the FEIS. By doing this, the FEIS would demonstrate that the Endangered Species Act (ESA) procedures are being followed and that any listed species is being protected.

Water Quality

According to the EIS (Ch.4-17), the transmission line will cross the Cedar River, Rock Creek and three small tributaries of Rock Creek, the Raging River and two tributaries of the Raging River. At Rock Creek and its tributaries, the right-of-way clearing may remove all trees, exposing the creek to more direct sunlight, possibly causing a slight increase in water temperature.

The antidegradation requirement under the Clean Water Act (CWA) applies to those streams where water quality standards are presently being met. These provisions prohibit degrading the water quality unless an analysis (which involves a public process) shows that important economic and social developments necessitate degrading water quality. The Washington State Department of Ecology (DOE) must be satisfied with the analysis and grant permission to lower, but not violate water quality. Please discuss how you will be in compliance with the antidegradation requirement.

Other Concerns

Roads: BPA states that "precise road locations have not been defined." (Ch.2 -7)

However, the DEIS says that topographic maps, satellite images and ground reconnaissance were used to predict miles of new access roads. With these data sources, BPA should be able to define where roads will be built. The DEIS also states that new and existing access roads may cross streams, but that no bridges would be built (Ch.2-8). If not bridges, please identify in the FEIS what type of structures would cross streams and rivers.

Cultural resources: The FEIS should include details on tribal concerns (Muckleshoot, Snoqualmie and Sauk-Suiattle) about the impacts to cultural resources in the project area. None of the previously recorded cultural sites occur on or near (within 700 feet) of the project area, according to the DEIS. However, (Ch. 4-95) states that "there is a high probability of encountering prehistoric and historic cultural resources in the project area.

Hazardous spills: SPU says that no hazardous spills are acceptable in the watershed. The DEIS said that BPA would develop a spill prevention and contingency plan to avoid spills of hazardous materials in the watershed. However, that information should have been in the draft and needs to be in the FEIS.

Thank you for the opportunity to review this draft EIS. Please contact Val Varney (206) 553-1901 if you have any questions.

Sincerely,

Judith Leckrone Lee, Manager
Geographic Implementation Unit